

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re	)	Chapter 7
	)	
ANTHONY MEDINA,	)	Case No. 05-52632 JDS
	)	
Debtor.	)	Hon. John D. Schwartz

**Application for Allowance and Payment of Final Compensation  
and Expense Reimbursement of Joseph A. Baldi & Associates, Attorneys for Trustee**

Joseph A. Baldi & Associates, P.C. ("Baldi & Associates" or "B&A"), attorneys for Joseph A. Baldi, as trustee ("Trustee") of the estate ("Estate") of Anthony Medina, debtor ("Debtor"), pursuant to section 330 of title 11, United States Code ("Code"), request this Court to enter an order for the allowance and payment to Baldi & Associates of \$4,172.00 as final compensation for 13.60 hours of legal services rendered to the Trustee and reimbursement of actual expenses incurred in this case in the amount of \$93.84 from February 9, 2006 through the close of this case. In support thereof, Baldi & Associates respectfully states as follows:

**Introduction**

1. Debtor commenced this case on October 13, 2005 by filing a voluntary petition for relief under chapter 7 of the Code.
2. Joseph A. Baldi is the duly appointed, qualified and acting chapter 7 trustee in this case.
3. As of the commencement of this case, the Estate's primary asset was the Debtor's interest in the real property commonly known as 22 Lima Grade, Grand Marais, Minnesota
4. The bar date for filing claims in this case was April 19, 2006.

**Retention of Baldi & Associates**

5. On February 9, 2006, the Court entered an order authorizing Trustee to employ Joseph A. Baldi and the law firm of Baldi & Associates as his counsel in this case. A copy of the order authorizing Trustee to retain Baldi & Associates is attached hereto as Exhibit A. Baldi & Associates has served as counsel for Trustee at all times since its retention.

6. The professional qualifications and experience of the Baldi & Associates attorneys and paralegals who have performed substantial legal services for the Trustee during the period covered by this Application are set forth in Exhibit B. The attorneys and paralegals who were primarily responsible for representing the Trustee during the period covered by this fee application are:

Joseph A. Baldi -- Partner  
Elizabeth C. Berg -- Associate/Paralegal<sup>1</sup>

#### **Prior Compensation Received**

7. This is the first and final application ("Application") for allowance and payment of compensation that Baldi & Associates will file in this case.

#### **Services Rendered by Baldi & Associates**

8. Itemized and detailed descriptions of the specific services rendered by Baldi & Associates to the Trustee for which compensation is sought in this Application are reflected on the billing statements attached hereto as Exhibit C. The billing statements set forth the name of each attorney or paralegal, the amount of time spent rendering each service, the date on which each service was rendered, a description of the service rendered and the total number of hours of services rendered by each attorney or paralegal in each category.

9. The services rendered by Baldi & Associates during the period covered by this Application have been summarized below:

General Administration: Baldi & Associates advised the Trustee with respect to general case administration; Baldi & Associates analyzed the liquidation value of the Debtor's assets; Baldi & Associates verified the cost basis of the Real Property and obtained other information, as needed by

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Ms. Berg is both a licensed attorney at law and a certified and duly trained paralegal. She has performed services on behalf of Trustee in this case in both capacities. As previously disclosed in the Trustee's application to employ Baldi & Associates, Ms. Berg bills for her services as an attorney at the rate of \$200/hour and at \$140/hour for paralegal services. Ms. Berg maintains separate timekeeper numbers in order to distinguish her dual capacities and to bill her services at the appropriate rate.

the Trustee's Accountants, for the preparation of Estate tax returns.

In connection with the foregoing, Baldi & Associates spent 1.80 hours for which it requests allowance and payment of final compensation in the amount of \$504.00.

Retention of Professionals: Baldi & Associates prepared and presented the Trustee's Motions to Employ General Counsel, Realtor, Accountants, and Special Counsel.

In connection with the foregoing, Baldi & Associates spent 3.50 hours for which it requests allowance and payment of final compensation in the amount of \$1,057.00.

Sale of Real Property: Baldi & Associates prepared and presented the Trustee's Motion to Sell the Real Property; Baldi & Associates prepared closing documents necessary to effectuate the sale of the Real Property; Baldi & Associates verified the liens and other closing costs against the Real Property.

In connection with the foregoing, Baldi & Associates spent 8.30 hours for which it requests allowance and payment of final compensation in the amount of \$2,611.00.

#### **Compensation Requested**

10. Baldi & Associates has expended a total of 13.60 hours for the services described and categorized in paragraph nine above. The total value of and the amount of compensation requested herein for those services is \$4,172.00.

11. All of the services performed by Baldi & Associates were required for proper representation of the Trustee in this case, were authorized by this Court and were performed by Baldi & Associates at the request and direction of the Trustee. Pursuant to Section 330 of the Code and the generally applicable criteria with respect to the nature, extent and value of the services performed, all of Baldi & Associates' services are compensable and the compensation requested herein is fair and reasonable. There has been no duplication of services rendered to the Trustee by Baldi & Associates for which compensation is requested. In those instances where two or more attorneys participated in any matter, such joint participation was necessary due to the complexity of

### **Status of the Case**

18. The Trustee has administered all of the assets belonging to this Estate and completed his review and analysis of the claims filed against the Estate.

19. Trustee has completed and filed his Final Report simultaneously herewith. Final Fee Applications for the Trustee and the Trustee's Accountants have also been filed concurrently with this Application.

### **Financial Condition of the Case**

20. Trustee currently has approximately \$4,075.10 on deposit in the Estate's bank accounts. The Chapter 7 administrative expenses that are currently owing and those the Trustee anticipates the Estate will incur prior to the closing of this case include 1) the fees allowed to Trustee in connection with his final fee application, 2) the legal fees and expenses allowed to Joseph A. Baldi & Associates, P.C. in connection with this final fee application, 3) the fees allowed to Popowcer Katten, Ltd. in connection with its final fee application, and 4) any fees which may be due or outstanding to the offices of the United States Trustee and the Clerk of the United States Bankruptcy Court.

21. Following payment of all Chapter 7 administrative expenses set forth above, Trustee estimates there will not be funds available to make a final distribution to general unsecured creditors.

### **Trustee's Approval**

22. Baldi & Associates certifies that the Trustee has received, reviewed and approved this Application.

WHEREFORE, Baldi & Associates, attorneys for Joseph A. Baldi, as trustee, requests the entry of an order providing the following:

A. Allowing to Baldi & Associates final compensation in the amount of \$4,172.00 for actual and necessary professional services rendered to the Trustee from February 9, 2006 through

the problems involved.

12. The rates charged by the attorneys and paralegals of Baldi & Associates in this Application are their usual and customary hourly rates charged during the period covered by this Application for work performed for other clients in both bankruptcy and non-bankruptcy matters. A list of each person who performed services for the Trustee and their hourly rate is contained in the billing statements attached hereto as Exhibit C.

#### **Expense Reimbursement**

13. In connection with the performance of the services included herein, Baldi & Associates has incurred actual and necessary expenses for which it requests reimbursement in the amount of \$93.84. These expenses primarily relate to photocopying and postage of motions filed with this Court and overnight delivery of closing documents. Itemized descriptions of the expenses are included within the billing statements attached hereto as Exhibit C.

#### **Payment of Compensation**

14. Baldi & Associates has not entered into any agreement or understanding of any kind, express or implied, with any other entity to share any compensation received or to be received by Baldi & Associates for services rendered to the Trustee in connection with this case.

15. Baldi & Associates has not previously received or been promised any payments for services rendered in this case.

16. The Affidavit of Joseph A Baldi pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure is attached hereto as Exhibit D and made a part hereof.

17. The proposed source for payment of the compensation requested in this Application are the Estate funds in the Trustee's possession, collected by him during his administration of this case. Baldi & Associates voluntarily agrees to the subordination of its claim for fees to the administrative claim of Popowder Katten, Ltd., Trustee's Accountants and Baldi & Associates' administrative claim for expense reimbursement.

the closing of this case;

B. Allowing to Baldi & Associates reimbursement of expenses in the amount of \$93.84;

and

C. For such other and further relief as this Court deems appropriate.

Dated: December 20, 2007

Joseph A. Baldi & Associates, P.C.

Attorneys for Joseph A. Baldi, as trustee of the estate  
of Anthony Medina, debtor

By: /s/Joseph A. Baldi

Joseph A. Baldi

Joseph A. Baldi/Atty ID 00100145  
Elizabeth C. Berg/Atty ID 6200886  
19 South LaSalle St. Suite 1500  
Chicago IL 60603  
312.726.8150

**Retention Order**

**Exhibit A**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re	)	Chapter 7
	)	Case No. 05 B 52632
Anthony Medina,	)	Hon. John D. Schwartz
	)	Hearing Date: February 9, 2006
Debtor.	)	Time: 10:00 a.m.

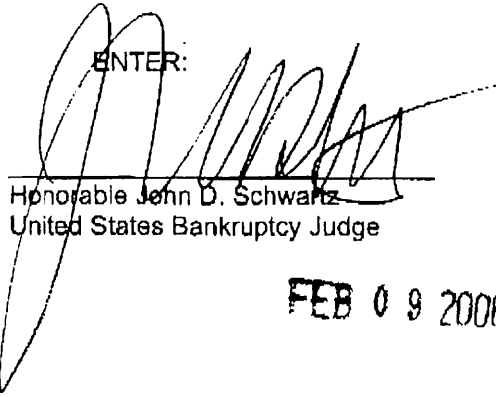
**Order Authorizing Trustee to Employ Attorneys**

THIS CAUSE comes before this Court on the Trustee's Application to Employ Joseph A. Baldi and the law firm of Joseph A. Baldi & Associates, P.C. as attorneys for Trustee and the affidavit of Joseph A. Baldi in support thereof; and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that Joseph A. Baldi, as trustee of the estate of Anthony Medina, debtor, is authorized to employ Joseph A. Baldi and the law firm of Joseph A. Baldi & Associates, P.C. to act as counsel for the Trustee, with compensation to be paid in such amounts as may be allowed by this Court upon proper application therefor.

Dated: February 9, 2006

ENTER:

  
Honorable John D. Schwartz  
United States Bankruptcy Judge

Joseph A. Baldi  
Attorney ID No. 00100145  
Elizabeth C. Berg  
Attorney ID No. 6200886  
Joseph A. Baldi & Associates, P.C.  
19 South LaSalle Street Suite 1500  
Chicago, IL 60603  
(312) 726-8150

FEB 09 2006



**Professional Qualifications**

**Exhibit B**

**Baldi & Associates**

Joseph A. Baldi

Joseph A. Baldi is the principal shareholder of Baldi & Associates. Prior to establishing his own law firm, Mr. Baldi was a partner in the Chicago law firms of Schwartz & Freeman and Rosenthal and Schanfield, P.C., where he was the Practice Group Chair of the Bankruptcy, Reorganization and Creditors' Rights Practice Group. Mr. Baldi has broad experience in insolvency matters, including bankruptcies, workouts, receiverships and assignments for the benefit of creditors.

Mr. Baldi's extensive experience in the field of bankruptcy includes the representation of creditors, debtors, bankruptcy trustees and creditor committees. Mr. Baldi has represented a variety of lenders, including banks, life insurance companies and other secured creditors in bankruptcy courts throughout the country. Mr. Baldi has represented debtors and bankruptcy trustees in both chapter 7 and chapter 11 cases involving real estate partnerships, restaurants, software vendors, trucking companies, construction firms and gas production facilities.

Mr. Baldi has been a member of the panel of private trustees appointed by the United States Trustee's Office for the Northern District of Illinois since 1988. He has operated numerous businesses as a chapter 11 trustee, including an aluminum manufacturing facility, a steel mini-mill, a retirement home and an industrial real estate partnership. Mr. Baldi has also liquidated a broad range of business entities as a chapter 7 trustee, including law firms, distributorships, retail firms and construction companies.

In addition to his experience in private practice, Mr. Baldi spent five years employed by the United States Trustee's Office in Chicago, Illinois where he supervised some of the largest Chapter 11 cases pending in the Northern District of Illinois. While at the U.S. Trustee's office, Mr. Baldi was responsible for the U.S. Trustee's program which monitors chapter 7 panel trustees.

Mr. Baldi is admitted to practice before the Supreme Court of Illinois, the United States District Courts for the Northern District of Illinois, the Eastern District of Wisconsin, the Northern District of Indiana and the Eastern District of Michigan and the Seventh Circuit Court of Appeals. Mr. Baldi is a member of the Bankruptcy and Reorganizations Committee of the Chicago Bar Association and American Bar Associations, the American Bankruptcy Institute and the National Association of Bankruptcy Trustees. Mr. Baldi has also actively participated in the Mediation and Local Rules subcommittees of the Chicago Bar Association's Bankruptcy and Reorganizations Committee. In addition to his legal pursuits, Mr. Baldi is active in municipal affairs in his hometown of Park Ridge, Illinois as a member of his local elementary school board and a Park Ridge alderman.

Mr. Baldi received his Juris Doctor, *cum laude*, from DePaul University, Chicago, Illinois and received his Bachelor of Arts degree from Western Illinois University in Psychology.

**Baldi & Associates**

Elizabeth C. Berg

Elizabeth C. Berg is an Associate of the firm and her expertise is in representing bankruptcy trustees and creditors in both chapter 7 and chapter 11 bankruptcies. Mrs. Berg has represented and worked with Mr. Baldi since his appointment to the panel of private trustees in 1988. Mrs. Berg also has experience representing lenders, borrowers and receivers in commercial foreclosure actions.

Prior to her graduation from law school in 1989, Mrs. Berg spent six years as a legal assistant, focusing her practice in the areas of secured transactions, mortgage lending and bankruptcy.

Mrs. Berg is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois. She is a member of the Illinois State Bar Association.

Mrs. Berg received her Juris Doctor from Loyola University School of Law where she was the recipient of the Lawyers Cooperative Publishing Company's American Jurisprudence Award for Excellent Achievement in the Study of Bankruptcy. She received her certification as a paralegal from Roosevelt University in Chicago, Illinois and received her Bachelor of Arts degree from Brown University in French Language and Culture.

In addition to practicing law, Mrs. Berg has also been a part-time instructor in the Paralegal Studies Department of Northwestern Business College where she taught introductory law classes to prospective legal assistants.

**Billing Statements**

**Exhibit C**

FEIN: 36-4352753

Anthony Medina  
Joseph A. Baldi, trustee  
19 South LaSalle Street  
Suite 1500  
Chicago, IL 60603

<b>Consolidated Summary</b>				<b>Total</b>		<b>Previous</b>	
	<b>Hours</b>	<b>Fees</b>	<b>Expenses</b>	<b>Charges</b>	<b>Payments</b>	<b>Balance</b>	<b>Balance Due</b>
<hr/>							
<b>Medina, Anthony - General Administration</b>							
	1.80	\$504.00	\$0.00	\$504.00	\$0.00	\$0.00	\$504.00
<b>Medina, Anthony - Retention of Professionals</b>							
	3.50	\$1,057.00	\$0.00	\$1,057.00	\$0.00	\$0.00	\$1,057.00
<b>Medina, Anthony - Sale of Minnesota property</b>							
	8.30	\$2,611.00	\$93.84	\$2,704.84	\$0.00	\$0.00	\$2,704.84
Balance Due							<hr/> \$4,265.84

**Joseph A. Baldi & Associates, P. C.**

12/20/2007

Medina, Anthony - General Administration

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**In Reference to:** *Medina, Anthony - General Administration*

***Professional Services***

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Charges</u>
4/10/2006	JAB	Review e-mail from Hero, follow up with debtor's attorney re documents needed. Telephone call to lender for payoff figures.	0.60 \$350.00/ hr	\$210.00
10/03/2006	ECB1	Meet with Trustee and confer on status in connection with 3rd quarterly review for 2006 annual reports	0.10 \$140.00/ hr	\$14.00
2/21/2007	ECB1	Review sales documents and prep package of supporting documentation for final tax return (.2) Prep letter to accountant re prep of final return (.2) Review and calculate administrative expenses (.1)	0.50 \$140.00/ hr	\$70.00
3/09/2007	JAB	Review e-mail from Shaw. Forward e-mail from Shaw re basis to West with closing statement	0.60 \$350.00/ hr	\$210.00
Total Hours			1.80	Total Fees \$504.00

**Joseph A. Baldi & Associates, P. C.**

12/20/2007

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Medina, Anthony - General Administration

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Total New Charges

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\$504.00

Previous Balance

\$0.00

Balance Due

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\$504.00***Timekeeper Summary***

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth (1) C Berg	0.60	\$140.00
Joseph A Baldi	1.20	\$350.00



**Joseph A. Baldi & Associates, P. C.**

12/20/2007

Medina, Anthony - Retention of Professionals

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**In Reference to:** *Medina, Anthony - Retention of Professionals***Professional Services**

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Charges</u>
2/03/2006	JAB	Review file and listing agreement, prepare motion to retain real estate broker. (1.0) Review file and draft motion to retain special real estate counsel (.7) Prepare motion to retain Baldi & Associates. (1.0)	2.70 \$350.00/ hr	\$945.00
2/26/2007	ECB1	Prep motion, affidavit & order to retain accountants (.7) Correspondence to L. West re 2016 affidavit (.10)	0.80 \$140.00/ hr	\$112.00
Total Hours			3.50	Total Fees \$1,057.00

**Joseph A. Baldi & Associates, P. C.**

12/20/2007

Medina, Anthony - Retention of Professionals

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Total New Charges	\$1,057.00
Previous Balance	\$0.00
Balance Due	<u>\$1,057.00</u>

***Timekeeper Summary***

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth (1) C Berg	0.80	\$140.00
Joseph A Baldi	2.70	\$350.00

Joseph A. Baldi & Associates, P. C.

12/20/2007

Medina, Anthony - Sale of Minnesota property

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In Reference to: *Medina, Anthony - Sale of Minnesota property*

**Professional Services**

Date	Staff	Description	Hours	Charges
2/02/2006	JAB	Review and complete motion to sell real estate. (2.0)	2.00 \$350.00/ hr	\$700.00
2/13/2006	JAB	E-mail to counsel and agent regarding entry of order, form of deed and follow up regarding closing.	0.60 \$350.00/ hr	\$210.00
2/14/2006	JAB	Telephone call from Chad Johnson re sale order, title policy, closing. Review and respond to e-mail from Hero re same.	1.00 \$350.00/ hr	\$350.00
2/15/2006	JAB	Prepare for and attend hearing on motion to lift stay, continue same. Prepare revised order with legal description, have entered by court. Forward order to special counsel for closing.	1.00 \$350.00/ hr	\$350.00
4/19/2006	JAB	Telephone call to special counsel's office regarding status of closing, documents needed. Telephone call to debtor regarding same. Telephone call to lender re updated payoff figures.	0.50 \$350.00/ hr	\$175.00
5/05/2006	JAB	Request updated payoff from lender. Teleconference with special counsel regarding sale status.	0.60 \$350.00/ hr	\$210.00
5/05/2006	JAB	Review file, e-mail to Hero re estate tax idnumber. Process documentation to obtain same.	0.60 \$350.00/ hr	\$210.00
5/12/2006	JAB	Review e-mail regarding status of closing, message from title company. Telephone call to lender's attorney for revised payoff, Telephone call to Hero office for contact information re same.	0.60 \$350.00/ hr	\$210.00
6/05/2006	ECB1	Review RESPA statement and breakdown and input Sale Proceeds payments to Trustee database	1.40 \$140.00/ hr	\$196.00
Total Hours			8.30	Total Fees \$2,611.00

**Joseph A. Baldi & Associates, P. C.**

12/20/2007

Medina, Anthony - Sale of Minnesota property

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***Expenses***

<u>Start Date</u>	<u>Code</u>	<u>Description</u>	<u>Quantity</u>	<u>Charges</u>
3/07/2006	OVERNIGHT	Serve Retention and Sale Motion on Special Counsel	1.00 @ \$37.10/each	\$37.10
3/07/2006	OVERNIGHT	Serve Retention and Sale Motion on Debtor	1.00 @ \$17.38/each	\$17.38
4/26/2006	OVERNIGHT	Deliver Trustee's deed and payoff letter for closing	1.00 @ \$19.56/each	\$19.56
5/30/2006	OVERNIGHT	Deliver deed and payoff letter to special counsel for closing	1.00 @ \$19.80/each	\$19.80
Total Expenses				\$93.84
Total New Charges				\$2,704.84
Previous Balance				\$0.00
Balance Due				<u>\$2,704.84</u>

***Timekeeper Summary***

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth (1) C Berg	1.40	\$140.00
Joseph A Baldi	6.90	\$350.00

**Rule 2016 Affidavit**

**Exhibit D**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re	)	Chapter 7
	)	
ANTHONY MEDINA,	)	Case No. 05-52632 JDS
	)	
Debtor.	)	Hon. John D. Schwartz

**Rule 2016 Affidavit**

State of Illinois       )  
County of Cook       )

I, Joseph A. Baldi, being first duly sworn upon oath, do depose and state as follows:

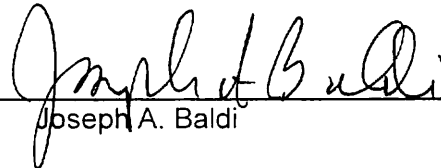
1. I am the principal of Joseph A. Baldi & Associates and am authorized to execute this affidavit on behalf of Joseph A. Baldi & Associates.

2. I have read the Application for Allowance and Payment of Final Compensation and Expense Reimbursement of Joseph A. Baldi & Associates, Attorneys for Trustee ("Application") and all of the factual matters set forth therein are true to the best of my knowledge, information and belief. Joseph A. Baldi & Associates has performed the services set forth and described in the Application at the request and pursuant to the direction of the Trustee.

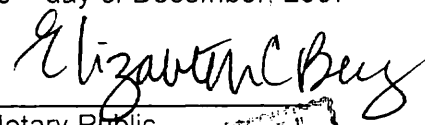
3. A copy of the Application has been provided to Trustee and the Trustee has reviewed and approved the Application.

4. Joseph A. Baldi & Associates has not previously received payment of any compensation for services rendered in connection with this case. Joseph A. Baldi & Associates has not entered into any agreement with any other person or persons for the sharing of compensation received or to be received for services rendered in connection with this matter, except among the principals and associates of Joseph A. Baldi & Associates or as otherwise stated in the Application.

5. Further affiant sayeth naught.

  
\_\_\_\_\_  
Joseph A. Baldi

Subscribed and Sworn to before me  
this 20<sup>TH</sup> day of December, 2007

  
\_\_\_\_\_  
Notary Public

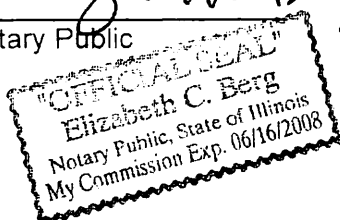


Exhibit D